

SENATE BILL 326

By Beavers

AN ACT to amend Tennessee Code Annotated, Title 39
and Title 40, relative to sexual offenses committed
against children.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-522, is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b)

(1) Rape of a child is a Class A felony and the minimum sentence for such offense shall be from within Range II as set out in § 40-35-112(b)(1) and the maximum sentence shall be imprisonment for the natural life of such person.

Nothing in this subsection shall prohibit such an offender from being sentenced from within Range III as a persistent offender or career offender if the factors set out in §§ 40-35-107 and 40-35-108 are applicable.

(2) If a person sentenced under this subsection is released from confinement, the provisions of § 39-13-525(a) shall not apply. Such person shall remain on community supervision for the remainder of the person's life.

Notwithstanding any other provision of law, the board of probation and parole shall require, as a mandatory condition of release, that any person convicted of an offense specified in subsection (b) and who is released under its supervision be enrolled in a satellite-based monitoring program for the full extent of the person's term of probation or parole, consistent with the requirements of § 40-39-302.

(3) The guidelines, procedures and other provisions established in this part for the Tennessee Serious and Violent Sex Offender Monitoring Pilot Project

shall, to the extent possible, also govern the violent sexual offenders monitored pursuant to this section.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.